

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

NICOLE WILLIAMS

v.

THE HONORABLE BARBARA KERR
HOWE, ET AL.

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Civil No. – JFM-15-3550

MEMORANDUM

Plaintiff has instituted this action against Barbara Kerr Howe, Sandra Kurtinitis, and Melissa Hopp who are, respectively, the chair of the board of trustees of the Community College of Baltimore County (“CCBC”), the president of CCBC, and the vice-president of administrative services of CCBC. The case was originally instituted in the Circuit Court for Baltimore County and was removed to this court by defendants. The defendants have filed a motion to dismiss. The motion will be granted.

Plaintiff first asserts a contract claim against defendants. The claim fails, because, as plaintiff concedes, it must have been instituted within one year of the termination of plaintiff’s contract. This action was instituted on June 23, 2015, and plaintiff’s contract with CCBC was terminated on June 15, 2014. The fact that plaintiff continued to be paid through August 15, 2014, is immaterial. The contract period ended on June 15, 2014. Moreover, CCBC was the party that contracted with plaintiff, not the three defendants whom plaintiff has named.

Plaintiff’s tort claims are barred by virtue of the fact that she was required to file a written notice of her claim to the county attorney within 180 days of her alleged injury, and she never did so. Plaintiff did file a notice with the State Treasurer, but this notice not only was

directed to the wrong person, but also was not filed within the period of time required by Maryland law.

Plaintiff also includes a claim for intentional infliction of emotional distress. There is nothing in plaintiff's allegations that suggest that defendant's conduct was "extreme or outrageous," as also required under Maryland law for the assertion of a claim of intentional infliction of emotional distress.

A separate order dismissing this action is being entered herewith.

Date:

1/12/16


J. Frederick Motz
United States District Judge

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